

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORKATTORNEY: RIKER DANZIG  
SCHERER HYLAND &  
PERRETTI LLP

SOVEREIGN BANK

Plaintiff(s),

Civil Action No. 10-8967 (NRB)

Filing Date: November 30, 2010

-against-

NUBIAN REALTY, LLC, NUBIAN PROPERTIES, LLC,  
RICHELIEU W. DENNIS, NYEMA S. TUBMAN, DIANE  
NICHOLAS, NUBIAN HERITAGE DIRECT LLC, NUBIAN  
HERITAGE OF HARLEM LLC, THE NATIONAL BLACK  
THEATRE WORKSHOP INC., HARLEM APPLE, LLC, NEW  
YORK CITY TRANSIT ADJUDICATION BUREAU, STATE  
OF NEW YORK DEPARTMENT OF TAXATION AND  
FINANCE, NEW YORK CITY DEPARTMENT OF  
TRANSPORTATION, NEW YORK CITY ENVIRONMENTAL  
CONTROL BOARD, NEW YORK CITY DEPARTMENT OF  
FINANCE, THYSSENKRUPP ELEVATOR COMPANY and  
JOHN DOE # 1 through JOHN DOE # 10 inclusive,

## AFFIDAVIT OF SERVICE

Defendant(s), x

STATE OF NEW JERSEY, COUNTY OF MORRIS ss: The undersigned, being duly sworn, deposes and says; deponent is not a party to this action, is over 18 years of age and resides at MORRIS PLAINS, NJ 07950.

That on DECEMBER 13, 2010 at 7:45 P.M., at 251 MONTROSE AVENUE, SOUTH ORANGE, NJ 07079 deponent served the within SUMMONS, VERIFIED COMPLAINT, AND DISCLOSURE STATEMENT bearing Civil Action No. 10-8967 (NRB), filed on November 30, 2010 on DIANE NICHOLAS the above defendant therein named.

## INDIVIDUAL

1 ☒ by delivering a true copy to said defendant personally; deponent knew the person served to be the person described as said defendant therein.

## CORPORATION

2 ☐ a domestic/foreign corporation, by delivering thereat a true copy to personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be thereof.

## SUITABLE AGE PERSON

3 ☐ by delivering thereat a true copy to a person of suitable age and discretion. Said premise is defendant's - actual place of business - dwelling place - usual place of abode - within the state.

## AFFIXING TO DOOR, ETC.

4 ☐ by affixing a true copy to the door of said premises, which is defendant's - actual place of business - dwelling place - usual place of abode - within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

## DESCRIPTION

USE WITH  
1, 2, OR 3

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Male	<input checked="" type="checkbox"/> White Skin	<input checked="" type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 lbs
	<input type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 lbs
		<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input type="checkbox"/> 36-50 Yrs.	<input checked="" type="checkbox"/> 5'4"-5'8"	<input checked="" type="checkbox"/> 131-160 lbs.
		<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input checked="" type="checkbox"/> 51-65 Yrs.	<input type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 lbs.
		<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 lbs.

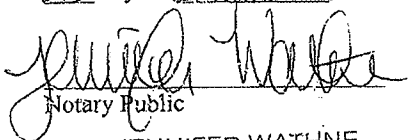
Other identifying features:

MILITARY  
SERVICE☒

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New Jersey in any capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New Jersey State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on the

3 day of December, 2010



Notary Public

JENNIFER WATHNE  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires Sept. 17, 2014



PRINT NAME BENEATH SIGNATURE  
MARK GUALTIERI